

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALYSON HERFERT, TALANA WILEY,)
SHANNON GORDNER, KATHRYN DE)
PEUTER, BECKY KUHL, ALANNA) No. 2:11-cv-1301-JCC
WASKO, and DENIZ ZOELLER, on behalf of)
themselves and all others similarly situated,)
Plaintiff,)
DECLARATION OF LYNN LINCOLN
SARKO IN SUPPORT OF JOINT
MOTION TO REQUIRE ATTORNEY
CHRISTOPHER BANDAS AND
OBJECTOR AMBER PEDERSON TO
POST APPEAL BOND, AND SEEKING
ANY OTHER APPROPRIATE RELIEF
TO PROTECT THE CLASS
v.)
CRAYOLA LLC,)
Defendant.)

1. I, Lynn Lincoln Sarko, am the managing partner at the law firm of Keller
Rohrback L.L.P. On March 12, 2012, the Court appointed Keller Rohrback L.L.P. as Lead
Counsel in this case and I have personal knowledge of the information in this Declaration. If
called upon, I could and would testify that the following facts are true and correct based upon my
personal knowledge.

2. Amber Pederson filed a written Objection to the Settlement in this action on April
2, 2012. (*Herfert v. Crayola*, No. 11-1301, Dkt. No. 47 (W.D. Wash. Apr. 2, 2012).) Ms.

1 Pederson filed this objection *pro se*. (*Id.*) Ms. Pederson's objection was notarized by Margot
2 Valdez. (*Id.*)

3 3. Attached as Exhibit 1 is a true and correct copy of Ms. Valdez' LinkedIn Profile,
4 downloaded on June 13, 2012, indicating her employer as Bandas Law Firm P.C. The profile
5 indicates that she "[c]urrently holds this position."

6 4. As reflected in the Minute Entry, on April 24, 2012, the Court considered whether
7 to grant final approval of the Settlement in this case. (Dkt. No. 50.) As further reflected in the
8 Minute Entry, the Court inquired if any persons appeared to object to the Settlement, and found
9 that there were none. (*Id.*)

10 5. Although the Minute Entry for the Final Approval hearing reveals that Ms.
11 Pederson failed to appear, Ms. Pederson's written objections were filed with the Court. (Dkt. No.
12 47.) As reflected in the Final Order, the Court considered all matters and papers submitted to it
13 in deciding whether to grant final approval. (Dkt. No. 51 at 4.) The Court approved the
14 Settlement over Ms. Pederson's objections and filed a written Order granting final approval on
15 April 27, 2012. (*See id.*)

16 6. On May 14, 2012, Ms. Pederson filed a notice of appeal *pro se*. (Dkt. No. 54.)

17 7. On May 24, 2012, I called Ms. Pederson at the telephone number she provided in
18 her objection. Christopher Bandas, an attorney at the Bandas Law Firm in Corpus Christi,
19 Texas, returned my call. Mr. Bandas informed me that he represents Amber Pederson. Mr.
20 Bandas did not file a notice of appearance on her behalf in the District Court. He also has not yet
21 filed a notice of appearance on Ms. Pederson's behalf in her appeal to the Ninth Circuit.
22 Attached as Exhibit 2 is a true and correct copy of the docket in Ms. Pederson's appeal to the
23 Ninth Circuit as of today, June 21, 2012, at 1:45 p.m.

